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BLACKWELL, JAMES H	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	**Application No.** 10/678,392	**Applicant(s)** PETERSEN, SCOTT E.	
	Examiner James H. Blackwell	**Art Unit** 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 March 2007*.
2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-15,17-24 and 27-48* is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-3,5-15,17-24 and 27-48* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *03 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a)☐ All b)☐ Some * c)☐ None of:
1.☐ Certified copies of the priority documents have been received.
2.☐ Certified copies of the priority documents have been received in Application No. _____.
3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to an Amendment filed 03/26/2007.

2. The priority date is **10/03/2003**.

3. Claims 1-31 are currently pending. Claims 1, 13, and 27 are independent claims.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 27-31 remain rejected under 35 U.S.C. 102(e) as being anticipated by Albornoz et al. (hereinafter Albornoz, U.S. Patent Application Publication No. 2004/0260717 filed 06/20/2003, published 12/23/2004).

In regard to independent Claim 27, Albornoz discloses:

- *generating a dynamic annotation template, wherein the dynamic annotation template includes variable layout information used to define a layout of a corresponding annotation instance* (Fig. 5H; Pg. 9, Paragraph [0093]) discloses allowing a user to select XSL or XSLT files and to associate those stylesheets (executable instructions) with an annotation structure. These stylesheets would be variable in the sense that they might perform differently depending on what type of annotation structures they were applied to; producing different output, layout and/or content).

- *applying a first annotation instance to a first portion of an electronic document in accordance with the dynamic annotation template; and applying a second annotation instance to a second portion of the electronic document in accordance with the dynamic annotation template, wherein*
    - *the layout of the second annotation instance differs from the layout of the first annotation instance* (Pg. 9, Paragraph [0097]) Albornoz provides for multiple annotations and types of annotations depending on the object type to be annotated (e.g., text, graphic, spreadsheet, table, etc.). Furthermore, when XSL or XSLT stylesheets are applied to an annotation structure, the layout and appearance of the annotation instance can be quite different depending on the content of the annotation, the amount of content information a user is allowed to view (due to credential filtering (Pg. 10, Paragraph [0108]) and perhaps as well as the type of object being annotated).

In regard to dependent Claim 28, Albornoz discloses:

- *the first annotation instance and the second annotation instance each include a text object and a graphic object* (Pg. 3, Paragraph [0034]) describes various possible annotation forms, including textual annotations (descriptions, revisions, clarifications, comments, instructions, etc.), graphical annotations (pictures, symbols, etc.), sound clips, etc. Albornoz also discloses that annotations may exist in any or all of these forms, and techniques described with reference to textual annotations may also be applied to other types of annotations, as well, and, more generally, to any type of reference to a data object.

- *an arrangement of the text object relative to the graphic object differs between the first annotation instance and the second annotation instance* (Pg. 9, Paragraph [0097]) Albornoz provides for multiple annotations and types of annotations depending on the object type to be annotated (e.g., text, graphic, spreadsheet, table, etc.). Furthermore, when XSL or XSLT stylesheets are applied to an annotation structure, the layout and appearance of the annotation instance can be quite different depending on the content of the annotation, the amount of content information a user is allowed to view (due to credential filtering (Pg. 10, Paragraph [0108]) and perhaps as well as the type of object being annotated.

In regard to dependent Claim 29, Albornoz discloses:

- *at least one of the text object and the graphic object comprise variable content* (Pg. 10, Paragraph [0102]) that each annotation record may contain "header" information common to all annotations, such as the annotation author, and a date/time stamp indicating when the annotation was made (dynamic and variable depending on the date/time at instantiation).

In regard to dependent Claim 30, Albornoz discloses:

- *the graphic object comprises one of a bitmap, vector art, or raster art* (Pg. 3, Paragraph [0034]) that annotation content can be graphical (pictures, symbols, etc.), which can and are typically rendered as either bitmaps, vector art or raster art.

In regard to dependent Claim 31, Albornoz discloses:

- *the dynamic annotation template comprises one or more form fields having executable instructions to define variable content* (Fig. 5H; Pg. 9, Paragraph [0093]) discloses allowing a user to select XSL or XSLT files and to associate those stylesheets (executable instructions) with an annotation structure. These stylesheets would be variable in the sense that they might perform differently depending on what type of annotation structures they were applied to producing different output, output layout and/or content.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1-3, 6-8, 10-15, 18-20, 22-24, 32-34, 36-38, and 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over MapSoft (MapSoft Impress Pro Ver. 2.1 User's Manual, Copyright 02/2003) in view of Albornoz, and in further view of Gupta et al. (hereinafter Gupta, U.S. Patent No. 6,546,405 filed 10/23/1997, issued 04/08/2003).

In regard to independent Claim 1, MapSoft discloses:

- *receiving, in an electronic document application, a request to apply an annotation to an electronic document* (Pgs. 11-13; → describes steps starting with executing a plug-in which then displays the Impress Pro dialog box; → within the MapSoft application, Impress Pro acts as a plug-in to an electronic document application (Adobe Acrobat) and contains features that allow one to apply an impression (annotation) to a document (using Quick Apply feature);

MapSoft fails to disclose:

- *in response to the request, accessing a dynamic annotation template for the requested annotation*,

However, Albornoz discloses (Pg. 5, Paragraph [0054];→ a set of annotation template structures for use in displaying and collecting annotation information as a part of an annotation server. The annotation template structures are dynamic (the term "dynamic" is interpreted as a template, upon whose instantiation, records or displays the state of the conditions on which the annotations are based when they are applied) in that each annotation record may contain "header" information common to all annotations, such as the annotation author, and a date/time stamp indicating when the annotation was made (dynamically) (Pg. 10, Paragraph [0102])).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of MapSoft and Albornoz as both describe systems that allow a user to create and apply annotations to electronic documents. Adding the disclosure of Albornoz provides a set of dynamic templates to be used when a user decides to apply an annotation to and electronic document.

MapSoft continues by disclosing:

- *the dynamic annotation template being external to the electronic document application and the electronic document* (Impress Pro, the application is supplied as a plugin to Adobe Acrobat. By definition, plugins are typically self-contained separate programs that enhance the features of an existing application);

MapSoft fails to disclose:

- *a dynamic annotation template;*

However, Albornoz discloses that during the capture process, the user entering the annotation content (into a dynamic template) will typically be interacting with software that could be either embedded within their particular scientific applications (e.g., as a plug-in component) or, alternatively, with a separate annotation application that is external to their scientific applications, for example, a stand-alone browser (external both to application and document being annotated) (Pg. 3, Paragraph [0039])).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of MapSoft and Albornoz as both describe systems that allow a user to create and apply annotations to electronic documents. Adding the disclosure of Albornoz provides a set of dynamic templates to be used when a user decides to apply an annotation to and electronic document external to the document editing application.

MapSoft continues by disclosing:

- *and having fixed content, associated instructions defining variable content, and variable layout information for the fixed content and variable content* (Pgs. 19-24;→ describe variable content, like dates, the dialog box depicts variable and fixed content as well as layout information).

MapSoft fails to disclose:

- *... variable layout information (as part of a dynamic annotation template);*

However, Albornoz discloses (Pg. 10, Paragraph [0106-0107];→ that in the process of fetching and displaying annotations for a given user, the annotation structure fields may be filtered based on who the user is (role), or security clearances. If the user fails to meet rules concerning, for example, a security level, that content is filtered out and not shown (thus affecting the layout). Furthermore, Albornoz discloses (Pg. 10, Paragraph [0108]) that a filtered annotation structure may have a limited subset of the fields contained in the structure. The filtered annotation structure may then be transformed to generate the final GUI displayed to the user. This suggests that, depending on a user's credentials (e.g., Secret security clearance), a given annotation would appear to be "laid out" differently than if, for example, the user had Top Secret clearance. Thus, the dynamic annotation structures, depending on user credentials, would be capable of a layout that was variable.

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of MapSoft and Albornoz as both describe systems that allow a user to create and apply annotations to electronic documents. Adding the disclosure of Albornoz provides filtering of annotation content which would make the layout of an annotation variable by virtue of a user's credentials and thereby preventing the viewing of sensitive information the user was not privileged to see.

MapSoft continues by disclosing:

- *executing the associated instructions to define the variable content for an instance of the requested annotation*; *applying the instance of the annotation to the electronic document, the annotation instance having an appearance, including a variable layout, defined by the variable content, the fixed content and the variable layout information* (Pg. 21 step 22 applying dialog box parameters, fields, fixed and variable content information to impression).

MapSoft fails to disclose *variable content and layout*;

However, Albornoz discloses (Pg. 10, Paragraph [0102];→ instantiation of a dynamic annotation template (in a GUI) containing content both fixed and variable and potentially being filtered based on a user's credentials thus varying the appearance of the annotation once applied).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of MapSoft and Albornoz as both describe systems that allow a user to create and apply annotations to electronic documents. Adding the disclosure of Albornoz provides filtering of annotation content which would make the layout of an annotation variable by virtue of a user's credentials and thereby preventing the viewing of sensitive information the user was not privileged to see, and thus changing the appearance of the annotation depending on the filtering.

MapSoft fails to disclose:

- *the annotation instance being modifiable by any user according to rights or permissions after the annotation instance is applied to the electronic document.*

However, Gupta discloses annotating multimedia content (including text associated with the multimedia content) where a user can change characteristics of any of temporal annotation databases 800 and 910 to which the user has modify access. Such characteristics include access rights and, in particular, which users or groups of users have which access rights, e.g., read, write, modify, and/or delete access rights (Col. 20, lines 27-51). Thus, Gupta allows a given user to modify annotations of others according to access rights they have assigned to them. The modification can occur after the annotation has been instantiated (applied).

It is also noted that Albornoz also discloses access rights in the form of filtering annotation structure information based on a user's credentials (Pg. 10, Paragraphs

[0106-0108]). Since the annotation information is stored outside of the application and document (Abstract), they would be available for modification assuming the user has the proper credentials.

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of MapSoft, Albornoz, and Gupta as all three inventions relate to annotation of digital documents. Adding the disclosure of Gupta provides the benefit of allowing for modifications of previously annotation content by multiple users based on access rights.

In regard to dependent Claim 2, MapSoft discloses:

- *executing the associated instructions includes:*
  - *determining a condition based on a state of a system hosting the electronic document application, the electronic document application, or the document; and defining at least a part of the variable content based on the determined condition* (Pg. 21, step 22;→ the dialog box allows one to define variable content such as time stamps and that such dynamic content is typically derived from settings such as the CPU clock. An example of a state of the CPU clock would be the time at which the impression was applied).

In regard to dependent Claim 3, MapSoft fails to disclose:

- *executing the associated instructions to define variable content includes generating one or more graphics.*

However, it would have been obvious to one of ordinary skill in the art at the time of invention to conclude that impressions such as those containing time stamps would appear, when applied, as graphics since MapSoft discloses that once applied, and the file saved, impressions are permanently embedded in the file (Pg. 9). This would have suggested that the impression was graphical in nature, providing the benefit of permanence thus avoiding tampering for example in de-labeling a document marked TOP SECRET.

In regard to dependent Claim 6, MapSoft discloses:

- *executing the associated instructions to define variable content includes receiving user input defining a value* (refer to dialog box, e.g. Pg. 1; can receive user input for variable content).

In regard to dependent Claim 7, MapSoft fails to disclose:

- *accessing the dynamic annotation template includes*
    - *retrieving an electronic form.*

However, Albornoz discloses (Pg. 2, Paragraph [0013];→ filling fields in a series of GUI windows for the annotation information).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of MapSoft, and Albornoz as both inventions relate to annotation of digital documents. Adding the disclosure of Albornoz provides the benefit entering annotation information by filling form fields with information.

In regard to dependent Claim 8, MapSoft discloses:

- *the electronic form includes one or more form fields having associated scripts* (see Pg. 34 where one can input page ranges, etc.).

It would have been obvious to one of ordinary skill in the art at the time of invention to conclude that it was typical for most electronic forms to execute functions which use and act on form inputs to produce the desired output, providing the advantage of efficiently generating an impression (annotation) in the manner specified.

In regard to dependent Claim 10, MapSoft discloses:

- *flattening the annotation content to create a static instance of the annotation; and wherein applying the instance to the electronic document creates a fixed representation of the instance of the annotation* in that once the content, especially variable content is applied (e.g. time stamp) it becomes and remains static (see Pg. 9, highlighted box middle of page;→ stamps are permanent once applied).

In regard to dependent Claim 11, MapSoft discloses:

- *executing the associated instructions to define variable content includes obtaining one or more of a graphic, text, an image, audio, video, or a hyperlink* in that loading, creating, and modifying impressions with variable content can be performed that produces impressions containing text (see Pgs. 12-13, steps 1-4).

In regard to dependent Claim 12, MapSoft discloses:

- *applying the instance of the requested annotation includes associating the annotation instance with a specific location in the electronic document* (Pg. 1, Dialog box allows one to describe where the impression is to be located on the page).

In regard to Claims 13-15, 18-20, and 22-24, Claims 13-15, 18-20, and 22-24 merely recite a computer program on a computer readable medium for executing the method of Claims 1-3, 6-8, and 10-12, respectively. Thus, the combination of MapSoft, Albornoz, and Gupta disclose every limitation of Claims 13-15, 18-20, and 22-24, as indicated in the above rejections for Claims 1-3, 6-8, and 10-12.

In regard to Claims 32-34, 36-38, and 40-42, Claims 32-34, and 36-38, and 40-42 merely recite a system for executing the method of Claims 1-3, and 6-8, and 10-12, respectfully. Thus, the combination of MapSoft, Albornoz, and Gupta disclose every limitation of Claims 32-34, and 35-42, as indicated in the above rejections for Claims 1-3, 6-8, and 10-12.

8. Claims 5, 9, 17, 21, 43, 45, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over MapSoft in view of Albornoz, and in further view of Gupta, and in further view of Altman (U.S. Patent No. 6,721,921, filed 07/26/2000, issued 04/13/2004).

In regard to dependent Claim 5, MapSoft fails to disclose:

- *executing the instructions includes requesting a service from a remote location; receiving content information in response to the request; and incorporating the content information into the variable content.*

However, Altman discloses (Col. 4, lines 39-55; Fig. 3B;→ storing annotations in a separate location, such as on another computer networked to the computer performing the annotating).

Altman fails to disclose:

- *the retrieval of content to be used as variable content.*

However, it would have been obvious to one of ordinary skill in the art at the time of invention to conclude that, for example, one might retrieve timestamp (variable) information from a remote timeserver networked to the annotation machine. As evidence of this, the Applicant is directed to references U, V, and W (cited in the enclosed Form 892). Essentially, these references establish the use of remote timeservers for setting computer system times as well as establish that such a feature was available in Operating Systems at the time the invention was made.

Systems associated with MapSoft, for example, likely executed some form of Windows OS.

The benefit of such an arrangement would have been to have an accurate and consistent time source to supply data to be annotation onto documents.

Further, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of MapSoft and Altman as both inventions relate to document annotation. Adding the disclosure of Altman would have allowed one to retrieve data outside the host computer allowing annotations to be made by remote users who have access to the document to be annotated.

In regard to dependent Claim 9, MapSoft fails to disclose:

- *executing the instructions includes defining an appearance of vector art.*

However, Altman discloses (Col. 5, lines 45-52;→ that annotations can include drawn annotations (e.g., using free-hand or predefined shapes)).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of MapSoft and Altman as both inventions relate to document annotation. Adding the teaching of Altman would have allowed one to apply graphical annotations to the document, providing the benefit of conveying a larger density of information to the reader (i.e. *picture worth a thousand words*).

In regard to Claims 17, and 21, Claims 17, and 21 merely recite a computer program on a computer readable medium for executing the method of Claims 5 and 9, respectively. Thus, the combination of MapSoft, Albornoz, Gupta, and Altman discloses every limitation of Claims 17, and 21, as indicated in the above rejections for Claims 5, and 9.

In regard to dependent Claim 43, MapSoft fails to disclose:

- *the associated instructions include instructions to retrieve a serial number from a centralized database, the centralized database accessible to multiple users.*

However, Altman discloses (Col. 4, lines 39-55; Fig. 3B;→ storing annotations in a separate location, such as on another computer networked to the computer performing the annotating. Annotations are content and can be almost anything (e.g., text, like a serial number) and of any type (e.g., barcodes with serial numbers and graphics (the bars)). Thus, if annotations (content) can be stored in a separate location, then presumably they can be retrieved from a separate location.

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of MapSoft and Altman as both inventions relate to document annotation. Adding the disclosure of Altman would have allowed one to retrieve data outside the host computer allowing annotations to be made by remote users who have access to the document to be annotated.

In regard to Claim 45, Claim 45 merely recites a method executable the system of Claim 43. Thus, the combination of MapSoft, Albornoz, Gupta, and Altman discloses every limitation of Claim 45, as indicated in the above rejection for Claims 43.

In regard to Claim 47, Claim 47 merely recites a computer program product on a computer readable medium for executing on the system of Claim 43. Thus, the combination of MapSoft, Albornoz, Gupta, and Altman discloses every limitation of Claim 47, as indicated in the above rejection for Claims 43.

9. Claims 44, 46, and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mapsoft in view of Albornoz, and in further view of Gupta, and in further view of Taylor et al. (hereinafter Taylor, U.S. Patent Application Publication No. 2004/0034832 file 10/19/2001, published 02/19/2004).

In regard to dependent Claim 44, Mapsoft fails to disclose:

- *the request to apply an annotation to an electronic document is generated automatically in response to an event.*

However, Taylor discloses (Fig. 5;→ a system that automatically annotates a new document upon its addition to a previous collection of documents that have been annotated. Those previous annotations are stored and the system, upon adding a new document, search the new document for instances of the previous annotations and upon finding them in the new document, add them as annotations. Thus, the "event" of adding a new document to the existing system provokes the addition of annotations to the newly added document).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of MapSoft, Albornoz, Gupta and Taylor as all of these inventions relate to annotation of digital or digitized documents. Adding the disclosure of Taylor provides the benefit of automatic annotation of new documents upon their addition to a collection to allow a user to identify similarities in the subject matter of the new and existing documents.

In regard to Claim 46, Claim 46 merely recites a method executable the system of Claim 44. Thus, the combination of MapSoft, Albornoz, Gupta, and Taylor discloses every limitation of Claim 46, as indicated in the above rejection for Claims 44.

In regard to Claim 48, Claim 48 merely recites a computer program product on a computer readable medium for executing on the system of Claim 44. Thus, the combination of MapSoft, Albornoz, Gupta, and Taylor discloses every limitation of Claim 48, as indicated in the above rejection for Claims 44.

Response to Arguments

10. With regard to independent Claim 27, Applicants argue that the prior art of Albornoz fails to anticipate all of the claim limitations. Specifically, the Applicants argue that Albornoz does not disclose the "applying" of their annotation instances to a data object but rather "applies" or stores those annotation instances to a separate annotation store.

The issue, from the interpretation of the argument beginning at the bottom of Applicant's arguments (Pg. 10), appears to be one of interpretation of the term "applying" rather that the issue of whether or not first and second annotations are applied to different portions of an electronic document.

The Applicants appear to interpret the "applying" of an annotation in terms of physically embedding the annotation content (and structure) into the data object being annotated, whereas the Examiner interprets the term "applying" more broadly as to include any association of an annotation to its data object.

The Examiner respectfully disagrees and would argue that the limitations of Claim 27 do not preclude this broader interpretation. Albornoz et al., in the process of creating an annotation to a data object, does "apply" or "associate" their annotation to a data object (e.g., Fig. 9A depicts annotation icons associated with particular data objects). When selected, the annotation icons call up the particular annotation they are associated with.

Additionally, Fig. 9B depicts multiple icons associated with multiple instances of annotations applied to a given data object. Comparing the annotation instances in Figures 9A and 9B, their layout is different by virtue of the fact that different types of annotations are being applied. Since Fig. 9B indicates that multiple annotations are possible for a given data object, then, in the instance where different annotation types are used to define the annotations (e.g., Fig. 9A's annotation versus Fig. 9B's annotation characteristic of the different types of annotations possible), then one would surmise that a given data object could have multiple annotations applied to it, each with a different layout.

11. Further, with respect to Claim 27 (Pg. 4 of response), Applicant argues that the prior art of Albornoz et al. fails to disclose that the XSLT stylesheets fail to disclose the "re-arranging" of objects (graphics and text) within an annotation. The Examiner respectfully disagrees. The term "formatting" is broadly interpreted to incorporate both what Albornoz et al. gives as specific examples (e.g., proper data types, allowable values, font, color, etc.) and other issues of formatting such as, for example, layout. Stylesheets are also well known to affect the layout of content they are applied to.

12. With respect to dependent Claim 28, the Applicant's argue that the prior art of Albornoz et al. fails to disclose that *"... the first annotation instance and the second annotation instance each include a text object and a graphics object; and an arrangement of the text object relative to the graphic object differs between the first annotation instance and the second annotation instance".*

The Examiner would agree that Albornoz et al. fails to disclose annotations containing both text and graphics. However, the Examiner respectfully disagrees, based on the arguments with respect to Claim 27 and layout above; that layout would differ depending on the type of annotation applied.

Indeed, Albornoz et al. suggests other different annotation templates could be constructed (e.g., compare Figs. 8B to 8C, where 8B is a default (generic) template form, and 8C, by comparing it to 8B, appears to be a variant of 8B). If other templates can be constructed, a particular template may well include both text and graphics (as well as audio, video, etc.).

Applicant further argues (beginning Pg. 14 of response) that the prior art combination of MapSoft in view of Albornoz et al. and Gupta et al. fails to disclose, with respect to Claim 1, the limitation of *"... in response to the request, accessing a dynamic annotation template for the requested annotation, the dynamic annotation template being external to the electronic document application and the electronic document and having fixed content, associated instructions defining variable content, and variable layout information for the fixed content and variable content ..."*.

Applicant states that arguments specifically address the prior art of Albornoz et al (bottom of Pg. 14 of response).

Specifically, Applicant states, with respect to reference to Pg. 10, Paragraph [0106-0108] in the Examiner's rejection, that filtering annotation structure fields based on the identify of a user is not equivalent to a dynamic annotation template that has variable layout information for the fixed and variable content.

Additionally, with respect to the reference to Pg. 10, Paragraph [0106] (Albornoz et al.) of the Examiner's rejection, the Applicant states, *"the annotation structure used to display the annotation is selected based on one or more parameters, such as the user's role"* and that Albornoz et al. further discloses that *"the selected annotation structure may only contain the fields the user is authorized to view."*

These two passages are cited and emphasized to state that the prior art of Albornoz et al. does not disclose that the annotation structure is dynamic, but rather that the appropriate annotation structure is chosen based on the information to be displayed. Selecting an appropriate annotation structure is not equivalent to an annotation template that is dynamic.

13. The Examiner respectfully disagrees. Again, there appears to be a difference in the interpretation of a term. This time, the tem is "dynamic" and what it means for something to be dynamic. The Applicant appears to interpret dynamism with respect to content within the annotation being changeable or variable, whereas the Examiner broadly interprets "dynamic" to indicate that the appearance, or how an annotation's content is presented to a viewer is dynamic depending, for example, on a given user's role.

14. The Applicant further argues that Albornoz et al. fails to disclose variable layout information for the fixed and variable content.

The Examiner respectfully disagrees and argues that filtering would indeed effect how a particular user would view a given annotation. For example, components of the annotation can be filtered out based on a user's role. Hence, that user would see a different layout of annotation components that would another with a different role.

Furthermore, with respect to filtering (middle Pg. 16 of response), the Examiner again interprets variable layout broadly to indicate that the appearance of an annotation to a given user can vary based on who the user is (his role).

Further arguments by the Applicant (beginning bottom Pg. 16 of response) appear to argue similar points with respect to the prior art of Albornoz et al. as were argued with respect to Claim 27 and are addressed above.

15. Applicants argue that proper motivation to combine the disclosures of MapSoft with Albornoz et al. are lacking. The basis for this is in disclosures of MapSoft (Pgs. 1, 2) regarding "stamping" and how the stamps are static or represent flattened annotation objects and therefore cannot be filtered in the same what as with Albornoz et al.

Similar arguments are made with respect to Claims 13 and 32 that are made to Claim 1 and earlier to Claim 27 and responses to those arguments can be found in the Examiner's responses.

16. With respect to Claim 3, Applicants argue (bottom Pg. 19, 20) that the stamp applied by MapSoft is text not graphics. The Examiner respectfully disagrees and would argue that MapSoft addresses the annotation of PDF documents which can either be based on the conversion of textual documents to a PDF textual equivalent, or can be imagemap scans of, for example, paper-based documents. The Examiner broadly interprets MapSoft's "stamping" as applying what might be more accurately described as a graphical "watermark" to a page, where the watermark contains text and, that one could apply multiple stamps to a given page; again, the stamps being the annotations.

The Examiner notes that the arguments presented by the Applicants (Pg. 20) as to whether or not text are graphics is a recurring one and specifically, in the third paragraph on Pg. 20 of the Applicant's response, the Applicant is reading the definition of graphics into the Claim whereas the Examiner interprets the claim in light of the Specification.

Also with respect to Claim 3 (and 15), Applicants argue that neither Albornoz et al. nor Gupta et al. disclose the execution of instructions to define variable content includes generating one or more graphics. This statement confuses the Examiner since MapSoft is used to reject this claim. There, the application of a stamp is broadly interpreted as generating the graphics.

17. With respect to Claim 5, Applicants argue with the use of Official Notice is used in rejecting Claim 5 and that importing variable information (such as the time) from an external source is not well known, or if it is, then the Examiner did not provide adequate proof of such a contention. Applicant further cites passages in MapSoft that state the time stamps applied are with respect to the local system, that is, the time depends upon your locale and that might change depending on international settings within the Windows control panel.

The Examiner respectfully disagrees that accessing an external or network time server was not well known to those of ordinary skill in the art at the time of invention and further cites a description of the Network Time Protocol (NTP) used to synchronize system clocks of computers (see Pgs. 1-5, Reference V in 892). Specifically, the reference states, “Microsoft Windows 2000 and XP include the Windows Time Service, which has the ability to sync the computer clock to an NTP server. However, the version in Windows 2000 only implements SNTP. As of Windows Server 2003 Service Pack 1, the Windows Time Service implements the more robust NTPv3 protocol as specified in

RFC 1305." See also references U and W, respectively. Reference U describes NTP and Reference W discloses release dates for Windows 2000 and XP.

Conclusion

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

19. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Blackwell whose telephone number is 571-272-4089. The examiner can normally be reached on Mon-Fri.

21. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 571-272-4136. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

22. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

James H. Blackwell
06/10/2007

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